

TAKES A HAND.

United States Court Assumes Jurisdiction in Dispensary Matter.

STATE WILL APPEAL.

Lyon Suggests That the Judge Wait Until Question of Jurisdiction Is Settled Finally—He Says He Has No Intention of Provoking Conflict.—Pritchard Declares He Has No Doubt of His Accuracy.

It looks like the United States Court will at last take a hand in winding up the affairs of the old State dispensary. At Asheville, N. C., on Saturday the matter was again brought up in that court on a recent order of Judge Pritchard's, signed on motion of the Wilson Distilling Company commission of South Carolina to appear and show cause why a receiver should not be appointed to take charge of the \$800,000 funds now in the hands of the commission for the payment of the just liabilities of the old dispensary.

Prior to the hearing of the Wilson case Judge Pritchard informally referred to the recent hearing in the matter of the Fleischmann Company against the dispensary commission. The complainants in this case also applied for a receiver.

The application for a receiver was denied and argument had on the question of jurisdiction, the court reserving its decision. Saturday morning Judge Pritchard stated that he hadn't completed his formal opinion and decision, but that in view of the coming on of the Wilson case he thought it best to indicate what his decision would be.

"The suit is not a suit against the State," said Judge Pritchard. "I have considered carefully this whole matter and had I any doubt I would give the defendants the benefit of that doubt and rule in favor of the State. There is no doubt in my mind, however, and therefore the court takes jurisdiction."

Judge Pritchard said it was his purpose to appoint two special masters. It is stated that these masters will be named next Monday, when the defendants make formal answer.

The defendants announced that they would appeal from the decision of the court.

Attorney General Lyon in referring to the determination of the State to appeal suggested to the court in effect that in order to avoid any unseemly clash between the State and Federal authorities that "your honor refrain from ordering any specific acts to be done until the question of jurisdiction is settled."

Judge Pritchard to this suggestion made reply: "That this court is not going to do anything to provoke a conflict but at the same time the court is going ahead and do its duty."

Judge Pritchard said there was no necessity or reason for a recurrence of the unfortunate incidents which occurred in North Carolina last year. He said that "this court is as much a South Carolina court as any court and incidentally that it is presided over by a Southern man."

A hearing of the receivership proceedings will be held on Saturday.

HAD TOO MANY KEYS.

Why a Stranger is Now Under Arrest in Florence.

At Florence P. W. Boswell, one of three white men who were found loitering on the streets at an early hour Sunday morning and acting in a very suspicious manner, was arrested by Officer Cain. The other two men made good their escape. After being arrested, Boswell was searched and a large bunch of skeleton and various other kinds of keys were taken from his pockets. Chief Koopman now thinks that Boswell is one of the men who blew the safe in Mr. J. J. Hood's store at Blenheim on Friday night.

HANGING AT ST. AUGUSTINE.

Two Thousand Persons See Negro Executed for Murder.

Charlie Powers, colored, was hanged in the county jail yard at St. Augustine, Fla., at 10:30 o'clock Friday morning for the murder of John Rogers, also colored. As the trap was sprung the rope parted, but not before Powers' neck had been broken. Powers was so frightened that he gave away entirely and had to be carried to the scaffold. He was too limp to stand, and a board was secured and fastened to his back. Two thousand persons witnessed the hanging.

STREET FIGHT.

Contractor Shoots Merchant Over in the Town of Aiken.

At Aiken on Friday, W. F. Doby, a prominent contractor, had an altercation with H. H. Rankin, a grocer, about a small account he owed Rankin. Doby invited Rankin to the street and words passed. Rankin struck Doby, who pulled a pistol, shooting Rankin in the hip, painfully injuring him. The wound is not necessarily fatal. The shooting created some excitement.

BRUTES CONFESS.

The Tojand Negroes Tell of Foul Killing in Lexington.

They Make a Full Confession of the Murder of Mrs. Paul W. Ellisor, Near Columbia.

A dispatch from Columbia says Ned and Brack Toland, negroes, aged 17 and 19 years, respectively, late Friday afternoon made a full confession of the murder of Mrs. Paul W. Ellisor, the aged woman who lived just across the river from Columbia.

Brack, the youngest of the brothers, said that Mrs. Ellisor suspected something as soon as they entered the house. When they got inside Brack said he caught the old woman and held her while his brother knocked her in the head with an axe.

They put her body in a basket and Ned struck her two more blows. They then proceeded to rob the house, taking a gun and a number of articles of wearing apparel. No money was found.

These negroes were arrested on the train going to Newberry the day after the brutal murder and brought back to Columbia. There was a big crowd of men at the train when they arrived and had it not been for the presence of several officers an attempt to lynch them would have been made. The two fiends are now in the penitentiary for safe keeping.

A dispatch from Prosperity says Ned Toland bears a bad reputation, having been in a number of scrapes. About six years ago he broke into Sligh's store, at Sligh's Station, and robbed the postoffice. He served a sentence in the United States prison in Atlanta for this crime. He has been on the chain gang several times at different places.

Brack was working in the oil mill and was enticed away by Ned. They left Prosperity walking Monday. Some of the hands in the oil mill warned Brack that Ned would give him in trouble. Ned's wife had gone to Columbia on the morning Columbia, Newberry and Laurens train.

WIFE SKIPS.

Mother of Two Little Girls Runs Away With a Man She Loves.

Sending her two little girls to bed at 10 o'clock Sunday night and leaving a note behind saying that her household effects may be sold to pay all debts incurred, Mrs. C. A. Strickland, of the Olympia mill village, on the outskirts of Columbia, ran away from her home with a man she loved at 12 o'clock Sunday night, while her husband is in North Carolina, and sentenced to the penitentiary for 18 months for bigamy.

The little girls are ten and twelve years of age and lived with their mother in the Olympia mill village. Only the small family of three were together in the house, so when Mrs. Strickland left, the children were thrown upon the mercy of the world. The front door was left open as the mother of the little girls and the man to whom she was engaged or married fled under cover of darkness in the dead of the night. Some neighbors there were, however, who possibly heard the creak of the door and saw the pair as they stole out into the world and away from two tiny mortals, the flesh and blood of a deserting mother.

Early Monday morning two married sisters of the little ones, who lived next door, entered the home and found to their utter surprise and horror, the note that told the incredible story. The children were taken to their sister's home and will be cared for until the mother returns, if she so decides to do so.

The elder girl works in the mill and the note contained information that the mother would return on pay day to get her daughter's salary.

About forty days ago, the husband of Mrs. Strickland was tried in North Carolina for bigamy and sentenced for 18 months. Upon some after discovered evidence, however, Gov. Glenn granted him a reprieve for 60 days, but that time has not yet expired.

SOUTH CAROLINIAN DEAD.

Judge John A. Edison, Wofford Man, Dies in Texas.

The Spartanburg Herald says Judge J. A. Edison, formerly of South Carolina, and a graduate of Wofford College, died in Hamilton, Texas, several days ago. He was considered by many one of the ablest lawyers in Texas. He was appointed associate justice of court of appeals by Governor Lanahan of Texas, another Wofford boy. Mr. Edison graduated from Wofford soon after the war, having served through the latter part of the war.

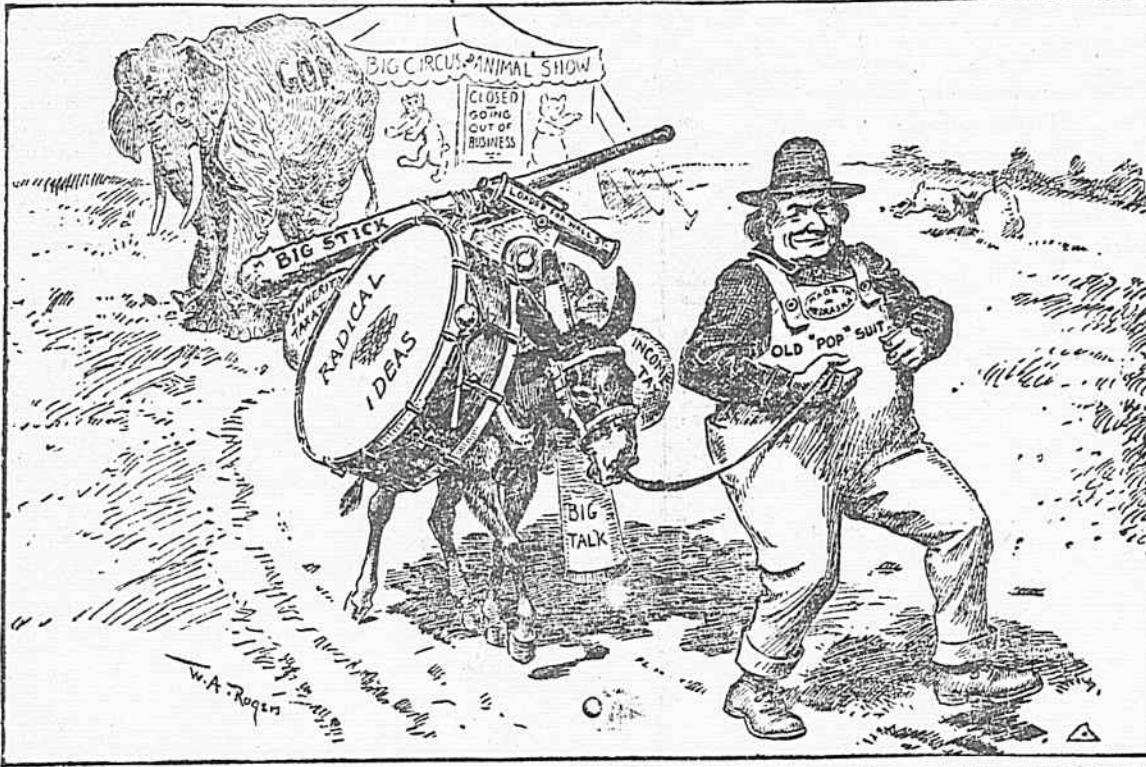
Hanged in Georgia.

Lee Holmes, colored, slayer of Dr. E. A. Sands, was hanged in the jail yard at Darien, Ga., at noon Friday. He was brought from Savannah the night before. Holmes said nothing at the gallows except to pray aloud for a short time.

Threw a Bomb.

At Buena Vista a dynamite bomb was thrown Friday against a carriage in which President Alcorn was driving but failed to explode. Four persons are arrested charged with complicity in the plot.

GOT IT ALL BACK, INCLUDING HIS CLOTHES.



—Rogers in New York Herald.

DEADLY AVALANCHE

Demolishes Hotel Building and Injures Thirty People.

Little Children Lose Their Lives in Vainly Trying to Save the Lives of Others.

An awful and deadly avalanche descended Sunday near the village of Goppenstein in Switzerland. The enormous atmospheric pressure demolished a hotel at the mouth of the Loetschental tunnel works, killing thirteen persons and injuring fifteen others.

The occupants of the hotel, numbering thirty, were surprised while seated at the table by sinister rumblings. Almost immediately two children rushed into the dining room and screamed: "An avalanche, an avalanche."

There was a rush to escape, but the building, which was of a temporary nature, collapsed, without warning. Both of the children were killed along with many of those they had sought to save.

Among the others killed was an American engineer named Mervat, who was installing American machinery to be used for a tunnel.

The hotel had been erected by the tunnel contractors for the convenience of the engineers and others engaged in construction work. There were no tourists there.

The village postoffice and police station were seriously damaged by the air wave and were keeled over to a angle of 45 degrees, making occupancy impossible. The tunnel works were not damaged.

NEGRO WOUNDS NINE.

Fired upon Crowd of Five Hundred Church-Goers.

At Richmond, Va., Sunday night, a woman and a man were shot and fatally wounded and seven other persons were seriously wounded by Robert Faulkner, a negro thief, supposed to be insane, who fired promiscuously into a crowd of 500 people on their way to church.

Faulkner early in the evening broke into Lignor's gunshop, on East Franklin street, and stole a double barreled shotgun and a supply of ammunition. He left the shop just as the crowd of church goers were passing, and without warning, he began firing, keeping up a fusillade into the throng until sixteen shots had been fired, nearly every shot finding a human target. The shrieks of the wounded and the sounds of the firing called six policemen hurriedly to the scene, where by this time nearly a thousand people had congregated.

The policeman found the negro slowly retreating, but holding the crowd at bay with his gun. They immediately opened fire on him and he fell with five bullets in his body and with his leg broken.

In defiance of the demand of the mob that the negro be lynched, the policemen quickly hurried him to the police station, from whence he was transferred to a hospital.

HARD MAN TO KILL.

Lives With His Head Nearly Severed With Heavy Axe.

With his head nearly severed, W. S. Smith ran half a mile to a physician at Sumrall, Miss., Friday, was treated, and will soon be out again. The case is one of the most singular in surgical annals. Doctors who performed the operation declare that the patient's neck is tougher than leather. Smith and a man named Hardy quarreled over a bill. Hardy felled his adversary with an axe, and tried to cut off his head. He evidently thought he had decapitated his victim for he dragged the body 40 feet into a patch of underbrush and went to hide his axe.

Shot While He Slept.

At Clinton, Iowa, Fred Dolph, about 60 years old, was shot to death Saturday night while he slept. His head was blown off with a shotgun placed against his cheek. Mrs. Dolph is under arrest.

AWFUL RECORD.

Nearly One Homicide Each Day in South Carolina.

DURING LAST YEAR.

The Rev. Louis J. Bristow Presents Some Interesting Figures Compiled by Him from the Reports Made to the Attorney General by the Solicitors of the Various Circuits in this State.

A recent letter to the press of the State, in which I gave the number of homicides committed in South Carolina during the last six months of 1907, caused a number of papers both in this state and others to ask for a record of the convictions for murder during the same time. A careful study of the report of the Attorney General reveals the following facts:

There were in South Carolina in 1907 346 cases in which the defendants were charged with murder. Of these, ten defendants were convicted of the charge and sentenced to death; 30 were convicted, but were recommended to the mercy of the Court, which under the statute, reduced the penalty to a life term in the penitentiary; 44 were convicted of manslaughter and given short terms in the Penitentiary or on the county chain gangs. Besides these there were 15 convictions reported from the 2d judicial circuit wherein no record of degree of guilt or of sentence was given, and 8 in Cherokee, and 3 in Union. The total number of convictions thus was 110.

There were no murder trials in Pickens or Oconee counties. In other counties they were as follows:

First Circuit—Berkeley, 8; Georgetown, 5; Dorchester, 20; Orangeburg, 15; total 43. Death penalty, Georgetown, 1; Orangeburg, 1; Dorchester, 1; Orangeburg, 2. Short terms, Berkeley, 2; Dorchester, 7; Orangeburg, 6. Total convictions, 21.

Second Circuit—Aiken, 14; Bamberg, 12; Barnwell, 12; Hampton, 2; total, 40. Convictions, 15, but no record of sentence.

Third Circuit—Clarendon, 4; Florence, 3 (1 manslaughter); Lee, 6; Sumter, 3; Williamsburg, 2 (1 manslaughter); total, 18. Death penalty, none. Life term, Sumter, 1; Williamsburg, 2; Clarendon, 1. Short terms, Lee, 1; Clarendon, 3; Sumter, 1. Total convictions, 9.

Fourth Circuit—Chesterfield, 2; Darlington, 2; Horry, 1; Marlboro, 8; Marion, 4; total, 17. Death penalty, 1 in Marlboro. Life term, Marlboro, 1. Short terms, Chesterfield, 2; Marlboro, 2; Marion, 1. Total convictions, 7.

Fifth Circuit—Edgefield, 10 (1 manslaughter); Kershaw, 6 (2 manslaughter); Lexington, 7 (1 manslaughter); Richland, 11 (3 manslaughter); total, 34. Death penalty, none. Life term, Richland, 1; Edgefield, 1. Short terms, Edgefield, 1; Kershaw, 2. Total convictions, 5 (and 2 in Richland County in which new trials were granted by trial judge.)

Sixth Circuit—Chester, 11; Fairfield, 4; Lancaster, 6; York, 9; total, 30. Death penalty, Chester, 2; Fairfield, 1. Life term, Chester, 3; Fairfield, 1; York, 2. Total convictions, 17. (It is worthy of note here that of Chester's 11 cases there were 10 convictions.)

Seventh Circuit—Cherokee, 8; Spartanburg, 8; Union, 6; total, 22. Death penalty, none. Life term, Spartanburg, 2. Short terms, Spartanburg, 3. Total, 5. (There are no records for Cherokee and Union.)

Eighth Circuit—Abbeville, 7 (2 manslaughter); Greenwood, 4; Laurens, 30 (7 manslaughter); Newberry, 11 (4 manslaughter); Saluda, 11 (4 manslaughter); total, 63. Death penalty, Greenwood, 1. Life term, Laurens, 6; Newberry, 1; Saluda, 2.

TRIED TO KILL HIM.

Two Bombs Thrown at the Shah's Automobile, in Which He Was Supposed to be Riding, but, Fearing Assassination, He Was Riding in a Carriage.

A dispatch from Teheren, Persia, says an attempt was made in that city Friday afternoon to assassinate the Shah of Persia by a bomb. His Majesty was not hurt. Three of the outriders who were accompanying him at the time were killed.

The Shah owes his escape to the precautions taken to protect him from just such an attempt. He was on his way to a nearby town, where he intended to pass a few days. The procession had left the palace, and was traversing a narrow street, when two bombs were hurled down as if from the roof of a house.

One exploded in the air, but the other struck the ground near the Shah's automobile. This missile in exploding killed the three outriders, wounded the chauffeur and a score of bystanders and shattered the vehicle. The Shah, however, was not in his automobile. He had taken the precaution to send the motor car on ahead and ride himself in a carriage further in the rear of the procession. The motor car was a closed one and it was thought the sovereign was inside.

As soon as the Shah heard the explosion he alighted hurriedly from his carriage and entered a neighboring house. Here he remained quietly while his attendants sent word for a detachment of troops. The soldiers were hurried to the scene and formed in front of the house where the Shah was. He then came out, surrounded by a big body guard, and returned to the palace. The house from which the bombs were thrown, and the buildings nearby were searched, but no arrests were made.

Burned to Death.

According to a long distance telephone message from Marshall, a small town in the western part of North Carolina, Miss Blazer, a girl 11 years old, was burned to death early Friday in a fire that destroyed a tenement house occupied by two large families.

Big Guns Shipped.

Twelve six-inch guns, each weighing twelve tons and intended by the United States government for coast defenses in the Philippines, started on their journey Friday on the British steamer Inveresk, which sailed from New York at the Bush stores, Brooklyn.

Short terms, Abbeville, 2; Greenwood, 1; Laurens, 7; Newberry, 4; Saluda, 1. Total convictions, 25.

Ninth Circuit—Beaufort, 1; Colleton, 6 (1 manslaughter); Charleston, 27 (3 manslaughter); total 34. Death penalty, none. Life term, Charleston, 2. Short terms, Colleton, 1; Charleston, 3. Total convictions, 6.

Tenth Circuit—Anderson, 17; Greenville, 13; Oconee, none; Pickens, none; total, 30. Death penalty, none. Life term, Anderson, 6. Short terms, Anderson, 2; Greenville, 5. Total convictions, 13.

I have simply given the figures as compiled by the solicitors for the Attorney General. They need no comment further than to say that out of 346 cases tried there were only 110 convictions. Of course, it does not follow that the other 236 men were guilty of murder and "got off." But these figures reveal the fact that the taking of human life in South Carolina is not often considered a crime against society.

One other matter: While of the 346, no less than 40 were convicted by as many juries of felonious and wilful murder, 30 of these juries declined to permit the murderers to be executed for their crimes. I have often said that more than 50 per cent of the people of South Carolina are opposed to capital punishment; 75 per cent of these juries were.

Louis Bristow.

BAD NEGRO SHOT.

At Florence by the Chief of Police in Self Defence.

A Colored Undertaker Resists Arrest and Fires at Policeman, and Is Himself Mortally Wounded.

At Florence W. P. Rogers, a well-known negro undertaker and hackman of Florence, was shot and probably mortally wounded by Policeman Joe Turbeville at an early hour Sunday morning. Policeman Turbeville had arrested Rogers, together with Charlie Barno, John Prince, Bill Wilson and John Serious, all charged with creating a disturbance at the corner of Evans and Ravenel streets in a negro restaurant.

Turbeville being alone and unable to get assistance, some of them escaped. Rogers, who lived nearby where the disturbance occurred, got away from the officer and went into his dwelling house. Turbeville followed him to his door and Rogers reappeared with a shot-gun in his hands, and told Turbeville he "would be d—d if he would be arrested by any d—n white man," and threw up the gun at the officer and pulled the trigger.

Luckily for Policeman Turbeville the gun failed to fire, Turbeville then quickly drew his 38-calibre and began shooting at Rogers, firing five shots at close range. Three of the shots took effect in Rogers' body, one in the shoulder, another in the arm and the third in the thigh. The one taking effect in the arm, broke the arm and caused Rogers to drop the gun. Turbeville, however, did not know this, and for fear that Rogers would make a second effort to fire his shot-gun, proceeded to empty his pistol at Rogers.

Dr. B. G. Gregg was hastily summoned, but as yet it is not known whether Rogers will survive the shock or not. Rogers is a very large and powerful man and has been up before the mayor on several occasions for being drunk and disorderly and creating a disturbance. If he survives this last battle it will go pretty hard with him.

A BRAVE TELLER.

Robbers' Pistols Had No Terror For Him.

Masked robbers made a desperate attempt to rob the Canadian Bank of Commerce at Winnipeg, Manitoba, Saturday night. Freeman Sussex, the paying teller, was shot through the arms and two of the bandits also still at large were wounded.

As is customary, the bank was open Saturday evening from 7 until 9 o'clock. Shortly after the opening Sussex was disturbed at his work by a gruff command of "Hands-up." Two bandits had him covered with big revolvers.

"Why," he asked, to gain time. The answer was to hurry up with his hands or die.

"Shoot," yelled the only employee in the bank at the time and the robbers complying emptied their pistols in all directions. The first bullet struck Sussex in the arm. Sussex started shooting from the tellers cage and emptied his revolver at the robbers.

The robbers escaped in the Canadian Pacific railroad yards. The bank officials Sunday announced that Sussex would be rewarded.

DIES IN ST. LOUIS.

Underwent Operation So As He Could Enlist in Army.

A dispatch from St. Louis to The State says Charles H. Smith of Townville died there Sunday as the result of an operation. Mr. Smith wished to enlist in the army and the recruiting station accepted him on condition that he undergo an operation. The depot surgeon at Jefferson barracks performed the operation on Wednesday with great success and the patient was in very good condition until he rose from his bed and walked across the room without aid. The exertion of walking broke the stitches, causing injuries which resulted in his death.

DESTROYED PUBLIC RECORD

Government Clerks in the Patent Office Face Serious Charge.

New W. Barton, an assistant of the patent office, at Washington, Harry E. Everding, a patent attorney of Philadelphia and John A. Heany, an inventor, were indicted by the grand jury and arrested on a charge of destroying public records.

The indictment charges the three with, intent to steal and to destroy, and that they carried away from the patent office letters, specifications and amendments, and unlawfully and willfully destroying them.

Scaled to Death.

At Greensboro, N. C. on Friday, two children of Thomas Hardin and one child of his brother met a frightful death while playing in imitation of hog killing around a pot of boiling tar, which was over turned.

Many Are Dead.

Following an explosion of gas in mine No. 3, of the Cia Carbon de Sabinas mines, at Rosita, Mexico, nothing has been heard from the two hundred men working in the mine.

BOLTED PARTY.

Four Assistant Republicans Defeat Democratic Nominee.

STABS THEIR PARTY.

Deadlock in Kentucky Legislature

Broken, Four So-Called Democrats

Going Over to the Republicans and

Electing Their Candidate for the

United States Senatorship.—Looks

Very Much Like a Sharp Bargain.

The deadlock of the Kentucky Legislature has been broken at last. Former Governor F. O. Bradley, the Republican candidate, was elected on Friday to the United States Senate after an exciting joint sitting of the General Assembly, receiving 64 votes, four of which were Democratic.

The Republicans voted solidly for Bradley, the caucus nominee. It had been held from the beginning of the contest (over six weeks ago) that a majority of a quorum was sufficient for an election and with 126 members present it required 64 votes to elect. The votes of the four Democrats who have steadily refused to vote for former Governor Beckham were transferred to Bradley from the various Democratic opponents of Beckham.

Bradley received 64 votes to 60 for Beckham, one for Allen and one for Blackburn. The Democrats left the hall in an attempt to break the vote, but later returned and the vote was ratified.

Senators McNutt and Charlton and Representative Muller, of Louisville, and Representative Lillard, of Boyle, were the Democrats who voted with the Republicans for Bradley.

A scene of wildest excitement prevailed before the result was announced, after the Democrats demanded a recapitulation. Beckman came on the floor and released the Democrats from their primary nomination pledge. Many Democrats sought to change their votes, the majority going to Congressman James.

A strong effort was made to induce the four recalcitrant Democrats to leave Bradley and vote for some Democrat. The many changes of votes made the capitulation slow and also developed an additional vote, but the vote for Bradley remained unchanged, still being a majority of all members present and voting. The Speaker finally announced that Bradley had received a majority of the vote and was elected.

The announcement that Bradley had been elected Senator was made after nearly all the Democrats had changed their votes. The four who voted for Bradley resisted the strongest appeals from the leaders of all their party factions, declaring it was too late.

In a speech accepting his election Bradley promised to use every effort as Senator to procure the repeal of the 6-cent tax on tobacco.

Representative Lillard was the only one of the four Democrats to explain his vote for Bradley. He said he thought the time had come to "throw off party shackles and to break up the machine," and, although he did support the Democratic ticket for 40 years, he believed his vote for Bradley "was the best Democratic vote he ever cast."

FROM EXPLODING LAMP.

A Mother and Three Children Were Burned to Death.

A mother and her three children were burned to death and several persons were injured by a fire in Brewerton, Pa., a foreign district of Pittsburgh, Pa. A large number of excited foreigners had narrow escapes from death and injury. A nineteen year old girl jumped from a window, breaking three ribs, and John Kalinkowski, occupying an adjoining house which was destroyed, threw his wife and four children out of the window into the arms of a policeman and all were more or less injured. The fire started from an exploding lamp.

TEN WERE INJURED

When Railway Engine and Electric Train Met at Crossing.

Ten persons were injured, none fatally, in a collision between a Southern railway engine and a train of the Washington and Alexandria Electric railway Friday night at Alexandria, Va. The engine was backing from the roundhouse and crashed into the motor car of the electric train. It is asserted by passengers on the trolley cars that the accident was caused by failure to observe that the cars should have been brought to a full stop before crossing the steam railway's tracks.

The body of Charles Scott, a negro, aged 18 years, was found hanging to a tree at Conroe, Texas, Friday. The negro's feet had a placard attached to them bearing the words: "Warning to negroes found prowling in white folks' houses." Scott had been arrested and placed under bond on a charge of attempting an assault upon a Miss Alby.